



General Assembly

February Session, 2012

Governor's Bill No. 5023

LCO No. 512

00512_____

Referred to Committee on Transportation

Introduced by:

REP. DONOVAN, 84th Dist.

REP. SHARKEY, 88th Dist.

SEN. WILLIAMS, 29th Dist.

SEN. LOONEY, 11th Dist.

**AN ACT CONCERNING ARREST POWERS OF LOCAL POLICE
OFFICERS AND MOTOR VEHICLE INSPECTORS.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 54-1f of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2012*):

3 (a) For the purposes of this section, the respective precinct or
4 jurisdiction of a state marshal or judicial marshal shall be wherever
5 such marshal is required to perform duties. Peace officers, as defined
6 in subdivision (9) of section 53a-3, as amended by this act, in their
7 respective precincts, shall arrest, without previous complaint and
8 warrant, any person for any offense in their jurisdiction, when the
9 person is taken or apprehended in the act or on the speedy information
10 of others, [provided] except that no constable elected pursuant to the
11 provisions of section 9-200 shall be considered a peace officer for the
12 purposes of this subsection, unless the town in which such constable

13 holds office provides, by ordinance, that constables shall be considered
14 peace officers for the purposes of this subsection.

15 (b) Sworn members of any local police department, outside of their
16 respective precincts, when on duty, may arrest, without previous
17 complaint and warrant, any person for any offense when the person is
18 taken or apprehended in the act or on the speedy information of
19 others. Whenever such sworn member of a local police department
20 makes an arrest under this subsection, such sworn member shall
21 immediately present the arrested person to the local police department
22 or state police troop having jurisdiction over the precinct in which the
23 arrest was effected.

24 [(b) Members] (c) Sworn members of the Division of State Police
25 within the Department of Emergency Services and Public Protection or
26 of any local police department or any chief inspector or inspector in
27 the Division of Criminal Justice shall arrest, without previous
28 complaint and warrant, any person who the officer has reasonable
29 grounds to believe has committed or is committing a felony.

30 [(c) Members] (d) Sworn members of any local police department or
31 the Office of State Capitol Police and constables and state marshals
32 who are certified under the provisions of sections 7-294a to 7-294e,
33 inclusive, and who perform criminal law enforcement duties, when in
34 immediate pursuit of [one] a person who may be arrested under the
35 provisions of this section, are authorized to pursue the offender
36 outside of their respective precincts into any part of the state in order
37 to effect the arrest. Such person may then be returned in the custody of
38 such officer to the precinct in which the offense was committed.

39 [(d)] (e) Any person arrested pursuant to this section shall be
40 presented with reasonable promptness before a proper authority.

41 Sec. 2. Subdivision (9) of section 53a-3 of the general statutes is
42 repealed and the following is substituted in lieu thereof (*Effective July*
43 *1, 2012*):

44 (9) "Peace officer" means a member of the Division of State Police
45 within the Department of Emergency Services and Public Protection or
46 an organized local police department, a chief inspector or inspector in
47 the Division of Criminal Justice, a state marshal while exercising
48 authority granted under any provision of the general statutes, a
49 judicial marshal in the performance of the duties of a judicial marshal,
50 a conservation officer or special conservation officer, as defined in
51 section 26-5, a constable who performs criminal law enforcement
52 duties, a special policeman appointed under section 29-18, 29-18a or
53 29-19, an adult probation officer, an official of the Department of
54 Correction authorized by the Commissioner of Correction to make
55 arrests in a correctional institution or facility, any investigator in the
56 investigations unit of the office of the State Treasurer, an inspector of
57 motor vehicles in the Department of Motor Vehicles, who is certified
58 under the provisions of sections 7-294a to 7-294e, inclusive, while
59 exercising authority granted under section 14-1, 14-163c, 14-225, 14-
60 267a or 14-386, or any special agent of the federal government
61 authorized to enforce the provisions of Title 21 of the United States
62 Code;

63 Sec. 3. Section 30-45 of the general statutes is repealed and the
64 following is substituted in lieu thereof (*Effective July 1, 2012*):

65 The Department of Consumer Protection shall refuse permits for
66 the sale of alcoholic liquor to the following persons: (1) Any state
67 marshal, judicial marshal, judge of any court, prosecuting officer or
68 member of any police force, (2) any first selectman holding office and
69 acting as a chief of police in the town within which the permit
70 premises are to be located, (3) a minor, and (4) any constable who
71 performs criminal law enforcement duties and is considered a peace
72 officer by town ordinance pursuant to the provisions of subsection (a)
73 of section 54-1f, as amended by this act, any constable who is certified
74 under the provisions of sections 7-294a to 7-294e, inclusive, who
75 performs criminal law enforcement duties pursuant to the provisions
76 of subsection [(c)] (d) of section 54-1f, as amended by this act, or any

77 special constable appointed pursuant to section 7-92. This section shall
78 not apply to out-of-state shippers', boat and airline permits. As used in
79 this section, "minor" means a minor as defined in section 1-1d or as
80 defined in section 30-1, whichever age is older.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2012</i>	54-1f
Sec. 2	<i>July 1, 2012</i>	53a-3(9)
Sec. 3	<i>July 1, 2012</i>	30-45

Statement of Purpose:

To implement the Governor's budget recommendations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]